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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/735,688 | 12/12/2000 | Daniel D. Sokol | | 6579 |
| 23910 | 7590 | 04/21/2004 | EXAMINER | |
| FLIESLER MEYER, LLP FOUR EMBARCADERO CENTER SUITE 400 SAN FRANCISCO, CA 94111 | | | DALENCOURT, YVES | |
| | | ART UNIT | | PAPER NUMBER |
| | | 2157 | | 5 |
| DATE MAILED: 04/21/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|--------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/735,688 | SOKOL ET AL. |
| | Examiner | Art Unit |
| | Yves Dalencourt | 2157 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 December 2000.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-23 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 21-23 is/are allowed.
 6) Claim(s) 1-10, 12-18 and 20 is/are rejected.
 7) Claim(s) 11 and 19 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 12 December 2000 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to communication filed on 12/12/2000.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Therefore, "in accordance with the invention" (page 19, line 2) is redundant. It is suggested to start the abstract with -- A system and method that provide a wireless LAN ... --.

Claim Objections

Claim 17 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 3. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

It appears that Applicant meant to say " claim 15 " instead of claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill

in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1 – 3, 5, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al (US 6,119,162; hereinafter Li).

Regarding claim 1, Li teaches a networking system (fig. 1), which comprises an on-site hub (14, fig. 1; col. 4, line 37) in communication with an Internet (col. 4, lines 48 – 50; claimed off-site network); and a plurality of on-site terminals (12, fig. 1) in communication with the hub, forming a local area network (10, fig. 1; col. 4, lines 33 – 38), each terminal allowing access to web browser functionality and having access to the off-site network through the hub (col. 4, lines 39 – 47; paragraph bridging col. 4, line 60 through col. 5, line 11).

Li teaches all the limitations, but fails to specifically teach that the terminals are communicating wirelessly with the hub, forming a wireless local area network.

However, Li further suggests that although LAN 10 typically comprises standard 10Base-T or 100Base-t, it could also comprise connections made via power lines, telephone lines, wireless connection made via infrared or RF transmission, or any other type of network connection (see col. 6, lines 4 – 11).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have recognized that Li's device is at least functionally equivalent to the claimed invention for the purpose of achieving the same end results.

Regarding claims 2 and 17, Li teaches a networking system, wherein the hub is further in communication with a peripheral (17, fig. 1), wherein each terminal has access to the peripheral through the hub (col. 1, lines 41 – 45).

Regarding claim 3, Li teaches, in the background of the invention, that many home computers are now equipped by the manufacturer with a standard network interface. Low cost add-on network interface cards and network hubs are readily available (col. 1, lines 36 – 41; claimed a second on-site hub in communication with the hub).

Regarding claim 5, Li teaches a networking system, wherein the hub is in communication with an off-site network via an off-site web server (16, fig. 1; col. 2, lines 24 - 38).

Claims 4, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al (US 6,119,162; hereinafter Li) in view of White et al (US 5,983,273; hereinafter White).

Regarding claims 4, 6, and 7, Li teaches all the limitations in claim 1, but fails to specifically teach that each terminal includes a smartcard reader for receiving a smartcard assigned to a designated user for insertion in the smartcard reader, wherein the smartcard stores information associated with the designated user (claim 4); wherein the web server maintains account information about the users of the wireless local area network so that a user can use any terminal (claim 6); wherein each terminal further includes e-mail and chat applications (claim 7).

However, White teaches, in an analogous art, a method and apparatus for providing physical security for a user account and providing access to the user's environment and preferences, wherein each terminal includes a smartcard reader (8, fig. 2) for receiving a smartcard (9, fig. 2) assigned to a designated user for insertion in the smartcard reader, wherein the smartcard stores information

associated with the designated user (col. 4, lines 5 – 24; col. 8, lines 6 - 27); wherein the web server maintains account information about the users of the wireless local area network so that a user can use any terminal (col. 5, lines); wherein each terminal further includes e-mail and chat applications (col. 1, lines 40 - 43) .

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a networking system, wherein each terminal includes a smartcard reader for receiving a smartcard assigned to a designated user for insertion in the smartcard reader; wherein the web server maintains account information about the users of the wireless local area network so that a user can use any terminal; wherein each terminal further includes e-mail and chat applications in Li's device as taught by White for the purpose of providing a mobile mechanism for accessing the account while maintaining physical security, and for making the user's preference and environment accessible even when the user logs into another terminal,

Claims 8 – 10, 12 – 16, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al (US 6,119,162; hereinafter Li) in view of White et al (US 5,983,273; hereinafter White).

Regarding claims 8 – 10, 12 – 13, 15, 18, and 20 Li teaches a networking system (fig. 1), which comprises an on-site hub (11, fig. 1; col. 4, line 37) in communication with an off-site application service provider (ASP) having a web server (col. 4, lines 6 – 15 and 48 – 50; claimed off-site network); and a plurality of on-site terminals (12, fig. 1) in communication with the hub, forming a local area network (10, fig. 1; col. 4, lines 33 – 38), each terminal allowing access to web browser functionality and having access to the ASP through the hub (col. 4, lines 39 – 47; paragraph bridging col. 4, line 60 through col. 5, line 11).

Li teaches all the limitations, but fails to specifically teach that the terminals are communicating wirelessly with the hub, forming a wireless local area network.

However, Li further suggests that although LAN 10 typically comprises standard 10Base-T or 100Base-t, it could also comprise connections made via power lines, telephone lines, wireless connection made via infrared or RF transmission, or any other type of network connection (see col. 6, lines 4 – 11).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have recognized that Li's device is at least functionally equivalent to the claimed invention for the purpose of achieving the same end results.

Li teaches all the limitations, but fails to specifically teach a smartcard assigned to a designated user for insertion in the smartcard reader, wherein insertion of the smartcard initiates a user session and wherein the smartcard stores information associated with the designated user.

However, White teaches, in an analogous art, a method and apparatus for providing physical security for a user account and providing access to the user's environment and preferences, wherein each terminal includes a smartcard reader (8, fig. 2) for receiving a smartcard (9, fig. 2) assigned to a designated user for insertion in the smartcard reader, wherein the smartcard stores information associated with the designated user (col. 4, lines 5 – 24; col. 8, lines 6 - 27).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a networking system, wherein each terminal includes a smartcard reader for receiving a smartcard assigned to a designated user for insertion in the smartcard reader in Li's device as taught by White for the purpose of providing a mobile mechanism for accessing the account while maintaining physical security, and for making the user's preference and environment accessible even when the user logs into another terminal.

Regarding claim 14, Li and White teach all the limitations in claim 8, and Li further teaches a networking system, wherein the hub is in communication with an off-site network via an off-site web server (16, fig. 1; col. 2, lines 24 - 38).

Regarding claim 16, Li and White teach all the limitations in claim 15, and Li further teaches a networking system, wherein the hub is further in communication with a peripheral (17, fig. 1), wherein each terminal has access to the peripheral through the hub (col. 1, lines 41 – 45).

Allowable Subject Matter

Claims 11 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 21 – 23 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: As specifically claimed, the art of record fail to teach, among other limitations, in combination, a wireless local area network hub able to receive wireless communications from a terminal, which includes at least one memory device storing an operating system and a web browser application; wherein the terminal further includes at least one memory device storing a scaled-down operating system, wherein the scaled-down operating system is scaled-down in comparison with the operating system stored on the hub, wherein the scaled-down operating system is capable of initiating a wireless connection between the hub and the terminal and downloading the operating system and the web browser application.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Valerie A. Gardner (US Patent Number 6,141,694) discloses a method and apparatus for determining and verifying user data.

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Baldev Krishan (US Patent Number 6,115,755) discloses an integrated apparatus for interfacing several computers to the Internet through a single connection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (703) 308-8547. The examiner can normally be reached on M-TH 7:30AM - 6: 30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt


April 15, 2004



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